

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

GENERAL CONFERENCE CORPORATION
OF SEVENTH-DAY ADVENTISTS and
GENERAL CONFERENCE OF SEVENTH-DAY
ADVENTISTS an Unincorporated Association,

Plaintiffs,

v.

No. 1:06-cv-01207-JDB-egb

WALTER MCGILL, d/b/a CREATION
SEVENTH DAY ADVENTIST CHURCH, et al.,

Defendant.

ORDER AWARDING ATTORNEY'S FEES AND COSTS

This Court previously held Defendant, Walter McGill, and his associate, Lucan Chartier, in contempt of Court for violating the permanent injunction against use of the trademarked name of Plaintiffs, General Conference of Corporation of Seventh-Day Adventists and General Conference of Seventh-Day Adventists, and for refusing to participate in Court-ordered discovery. (Docket Entry ("D.E.") No. 175 at 6.) The Court awarded to Plaintiffs any reasonable attorney's fees and costs that they incurred associated with filing the Motion and Memorandum for Order Setting Evidentiary Show Cause Hearing (D.E. No. 116) and the Motion and Memorandum for Sanctions and Order Setting Show Cause Hearing (D.E. No. 117). (*Id.* at 6–7.) It also awarded reasonable fees and costs to Plaintiffs for attending and subpoenaing witnesses to attend an evidentiary show cause hearing before United States Magistrate Judge Edward G. Bryant. (*Id.* at 7.)

At the Court's direction, Plaintiffs' counsel submitted a declaration detailing attorney's

fees of \$30,395.00 and expenses of \$3,525.93. (D.E. No. 178-1.) The Court referred counsel's declaration to the Magistrate Judge to determine the reasonableness of the requested fees and costs. (D.E. Nos. 179, 180.) On May 30, 2012, Judge Bryant issued a report finding that the fees and costs submitted by the Plaintiffs were reasonable, necessary and properly incurred. (D.E. No. 189). He thus recommended that the Court award the full amount requested by the Plaintiffs. (Id.)

The Court has reviewed the declaration of Plaintiffs' counsel and the Magistrate Judge's report and recommendation. No objections having been filed, the Magistrate Judge's report and recommendation (D.E. No. 189) is ADOPTED. The Plaintiffs are AWARDED costs and fees of \$33,920.93 against the Defendant.

IT IS SO ORDERED this 21st day of June, 2012.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE